

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

XIAOQING ZHENG,

Defendant.

**AFFIDAVIT OF THIRD PARTY
PETITIONER HUI JIN**

Index No.: 1:19-cr-156 (MAD)

STATE OF NEW YORK)
)ss.:
COUNTY OF ALBANY)

HUI JIN, being duly sworn, deposes and states the following under penalties of perjury:

1. My name is Hui Jin and I am the wife of Defendant Xiaoqing Zheng. We have been married for 36 years.

2. On February 14, 2023, I received a Notice to Potential Claimant of the Court's Preliminary Order of Forfeiture, along with a printed copy of 21 USC § 853(n) and the Court's October 5, 2022 Preliminary Order of Forfeiture. Annexed hereto as Exhibit "A" is that Notice.

3. The Preliminary Order of Forfeiture stated that, as a result of my husband's conviction, he would have to forfeit to the United States ("the Government") \$50,000.00 United States Currency, a Dell Precision Desktop Workstation 3600, serial number: 7QK0RW1, and an iPhone X, white in a black case, serial number: F17VN3X5JCLJ. [*See Ex. A*]

4. On or about March 13, 2023, I filed a verified petition pursuant to 21 USC § 853(n) as a third-party claimant to property subject to the Court's Preliminary Order of Forfeiture, specifically the \$50,000.00 United States Currency ("Subject Currency"). Annexed hereto as Exhibit "B" is my petition.

5. I submit this affidavit in opposition to the Government's July 28, 2023 motion to dismiss my petition and in support of my cross-motion to amend my petition.

6. The Subject Currency was seized from my house at 8 Cephalonia Drive, Niskayuna, New York 12309, on August 1, 2018.

7. I have lived with my husband at 8 Cephalonia Drive since 2008.

8. My husband and I moved to the United States from China in the 1990s and we became United States citizens in 2004.

9. I am a licensed real estate salesperson and conduct business as such.

10. Beginning in January 2017, I began helping other Chinese people who I met through my real estate business send money to families still in China.

11. I was not paid any fees or expenses for doing this. It was simply as a courtesy to people who lived in the United States and whose families needed money in China.

12. The US currency that was provided to me accumulated to over \$50,000.00, which is the Subject Currency.

13. The money I received was then transferred by my husband's sister from her bank account in China as follows:

- a. May 8, 2017: Chinese currency equivalent of \$1,000.00 to Baojun Xiao.
- b. July 4, 2017: Chinese currency equivalent of \$2,000.00 to Baojun Xiao.
- c. December 14, 2017: Chinese currency equivalent of \$2,000.00 to Jinxiu Xie.
- d. December 14, 2017: Chinese currency equivalent of \$5,000.00 to Zhenhui Ren.
- e. January 16, 2018: Chinese currency equivalent of \$2,000.00 to Qiuqun Luo.
- f. January 16, 2018: Chinese currency equivalent of \$5,000.00 to Lianjuan Liu.
- g. March 9, 2018: Chinese currency equivalent of \$5,000.00 to Zhenhui Ren.
- h. March 9, 2018: Chinese currency equivalent of \$4,000.00 to Lianjuan Liu.

- i. March 9, 2018: Chinese currency equivalent of \$1,000.00 to Hong Yang.
- j. July 6, 2018: Chinese currency equivalent of \$5,000.00 to Zhumei Xie.
- k. July 6, 2018: Chinese currency equivalent of \$5,000.00 to Zhumei Ren.

14. With regard to the May 8, 2017 and July 4, 2017 transfers, Ms. Chun Liu had given me \$3,000.00 total for her husband's ex-wife in China. She used to live in Schenectady, New York.

15. With regard to all other above-listed transfers, Mr. Xianquan Yang had given me \$34,000 total over time for his family and friends in China. Mr. Yang was living on Ormond Street in Albany, New York, at the time.

16. Annexed hereto as Exhibit "C" is documentation of the January 16, 2018 transfers, including contemporaneous handwritten notes of the transfers and screenshots of the bank account transfers. I was provided \$7,000.00 and asked to send \$2,000.00 to Qiuqun Luo and \$5,000.00 to Lianjuan Liu. The published exchange rate on Google was 6.44 at the time. Thus, \$2,000.00 USD was equivalent to ¥12,880.00 RMB, and \$5,000.00 USD was equivalent to ¥32,200.00 RMB.

17. Annexed hereto as Exhibit "D" is documentation of the March 9, 2018 transfers, including contemporaneous handwritten notes of the transfers and screenshots of the bank account transfers. I was provided \$10,000.00 USD and asked to send \$5,000.00 to Zhenhui Ren, \$4,000.00 to Lianjuan Liu, and \$1,000.00 to Hong Yang. The published exchange rate on Google at the time was 6.33. Thus, \$5,000.00 USD was equivalent to ¥31,650.00 RMB, \$4,000.00 USD was equivalent to ¥25,320.00 RMB (I made two transfers to the same account which totaled ¥25,320.00 RMB), and \$1,000.00 USD was equivalent to ¥6,330.00 RMB.


18. Annexed hereto as Exhibit "E" is documentation of the July 6, 2018 transfers, including contemporaneous handwritten notes of the transfers and screenshots of the bank account transfers. I was provided \$10,000.00 USD and asked to send \$5,000.00 each to Zhumei Xie and

Zhumei Ren. The published exchange rate on Google at the time was 6.64. Thus, \$5,000.00 USD was equivalent to ¥33,200.00 RMB.

19. Money was also transferred in the Chinese currency equivalent of \$25,000.00 for a businessman, Mr. Haozai Yu, located in Jingdezhen, China, on January 21, 2018, who was operating a store in Albany, New York, at the time. This transfer is documented in WeChat messages which the Government has.

20. I have a superior right to the Subject Property because the US Currency was given to me and I made the transfers with my own money.

21. Thus, I am requesting that this Court deny the Government's motion to dismiss or, alternatively, deny the Government's motion and grant my request to amend my petition.



Hui Jin

Sworn to before me this
18th day of September, 2023.



Notary Public

ASHLYNN R. SAVARESE
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02SA6401398
Qualified in Schenectady County
Commission Expires December 9, 2023